

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

MANDI HAYDEN,

No. C 05-01785 NJV

Plaintiff,

PRETRIAL ORDER

v.

REDWOODS COMMUNITY
COLLEGE DISTRICT,

Defendant.

Pursuant to Fed. R. Civ. P. 16 and Civ. L.R. 16-10(b), the following final pretrial order
is entered:

1. TRIAL DATE: August 21, 2007.

a. Jury trial will begin on August 21, 2007 at 9:00 a.m. in Courtroom 205A, 2nd Floor,
514 H Street, Eureka, CA 95501.

b. The length of the trial will be no more than fifteen days.

2. NON-EXPERT DISCOVERY

Discovery has been completed as of January 23, 2007.

3. EXPERT DISCOVERY

Expert discovery shall be completed as follows:

a. Expert disclosure: April 27, 2007.

b. Expert rebuttals: May 11, 2007

c. Close of expert discovery: May 25, 2007

4. FINAL PRETRIAL CONFERENCE

a. A final pretrial conference shall be held on August 9, 2007 at 2:30 p.m. in Courtroom 205A, 2nd Floor. Each party shall attend personally or by counsel who will try the case.

On or before June 15, 2007 the parties shall:

(i). serve and file their pretrial statement.

The pretrial statement shall include the disclosures required by Fed. R.Civ.P.26(a)(3) as well as the following:

1. Witnesses to be Called

2. Exhibits, Schedules and Summaries

3. Use of Discovery Responses at Trial

4. Any other concerns of the parties

5. At the same time that the parties file their joint pretrial statement they shall

also:

a. Serve and file trial briefs, which shall specify each cause of action and defense remaining to be tried along with a statement of the applicable legal standard (no opposition shall be filed);

b. Serve and file motions in limine which shall be contained in one document. Motions in limine will be decided at the Pretrial Conference.

6. Serve and file a list of excerpts from discovery that will be offered at trial, specifying the witness, page and line references and whether the excerpt is to be offered in lieu of testimony or as impeachment;

7. Serve and file a list of witnesses likely to be called at trial, in person or by deposition, other than solely for impeachment or rebuttal, with a brief statement describing the substance of the testimony to be given;

8. Serve and file a numerical list of exhibits (including demonstrative exhibits that may be admitted into evidence but not those that are purely illustrative), with a brief statement describing the substance and purpose of each exhibit and the name of the sponsoring witness;

9. Exchange exhibits which shall be premarked, tabbed and in binders (plaintiff shall use numbers and defendant shall use letters); and deliver the original and two duplicate sets of all premarked exhibits to chambers (exhibits are not to be filed) at least one week before trial.

(See Label)

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

Case No. _____

Exhibit No. _____

Date entered: _____

RICHARD W. WIEKING, Clerk

By: _____

Deputy Clerk

10. Serve and file proposed joint voir dire questions and joint jury instructions.

11. Serve and file a proposed verdict form which contains no reference to submitting party.

12. **One courtesy copy** of trial briefs and motions in limine shall be provided.

13. No party shall be permitted to call any witness or offer any exhibit in its case in chief that is not disclosed in these pretrial filings without leave of court and for good cause.

14. **On or before June 29, 2007**, counsel or parties shall serve and file any opposition or objection to those items required by section 1 through 11 above of this order. Additionally, counsel or parties shall file any objections to the qualifications of expert witnesses contained in the opposing party's witness list. Objections not filed as required will be deemed waived.

No replies shall be filed. All motions and objections shall be heard at the pretrial conference

1 unless otherwise ordered.

2 5. JURY TRIAL

3 a. Counsel shall submit an **agreed upon set** of additional voir dire questions
4 to be posed by the court. Any voir dire questions on which counsel cannot agree may be
5 submitted separately. Counsel will be allowed brief follow-up voir dire after the court's
6 questioning.

7 b. The following jury instructions from the Manual of Model Civil Jury Instructions
8 for the Ninth Circuit (1997 Edition) will be given absent objection: 1.01 - 1.12, 2.01 - 2.02,
9 3.01 - 3.03, 3.05 -3.08. The Ninth Circuit Manual of Model Jury Instructions is available on the
10 website for the U.S. District Court for the Northern District of California at
11 www.cand.uscourts.gov. Click on the 9th Circuit home page button at the lower left of the first
12 screen and then choose the Manual from the list on the right hand side of the next screen.
13 Counsel shall submit an agreed upon set of case specific instructions, using the Ninth Circuit
14 Manual where appropriate. Do not submit duplicates of those listed above. Any instructions
15 on which counsel cannot agree may be submitted separately. Each requested instruction shall
16 be typed in full on a separate page with citations to the authority upon which it is based and
17 a reference to the party submitting it. A **second blind copy** of each instruction and verdict
18 form shall also be submitted omitting the citation to the authority and the reference to the
19 submitting party.

20 9. All documents filed with the Clerk of the Court shall list the civil case number followed
21 by the initials NJV. One copy shall be clearly marked **chambers** copy.

22 DATED: 1/23/07



NANDOR J. VADAS
United States Magistrate Judge